



DEVELOPMENT APPLICATION

Community Development Department
250 North 5th Street, Grand Junction, CO 81501
(303) 244-1430

Receipt _____
Date _____
Rec'd By _____
File No. _____

We, the undersigned, being the owners of property situated in Mesa County, State of Colorado, as described herein do hereby petition this:

PETITION	PHASE	SIZE	LOCATION	ZONE	LAND USE
<input type="checkbox"/> Subdivision Plat/Plan	<input type="checkbox"/> Minor <input type="checkbox"/> Major <input type="checkbox"/> Resub				
<input type="checkbox"/> Rezone				From: To:	
<input type="checkbox"/> Planned Development	<input type="checkbox"/> ODP <input type="checkbox"/> Prelim <input type="checkbox"/> Final				
<input type="checkbox"/> Conditional Use					
<input type="checkbox"/> Zone of Annex					
<input type="checkbox"/> Variance					
<input type="checkbox"/> Special Use					
<input checked="" type="checkbox"/> Vacation			20 Road N. of 20/F	NA	<input checked="" type="checkbox"/> Right-of Way <input type="checkbox"/> Easement
<input type="checkbox"/> Revocable Permit					

<input checked="" type="checkbox"/> PROPERTY OWNER	<input checked="" type="checkbox"/> DEVELOPER	<input checked="" type="checkbox"/> REPRESENTATIVE
FIRST CHURCH OF NAZARETH		
Name Carl H. Jarky	Name John Davis	Name
Address 1000 N 9th #8	Address 1023 24th RD	Address
City/State/Zip Grand Jct CO 81501	City/State/Zip Grand Jct CO 81505	City/State/Zip
Business Phone No. 970 245-3125	Business Phone No. 250-0720	Business Phone No.

NOTE: Legal property owner is owner of record on date of submittal.

We hereby acknowledge that we have familiarized ourselves with the rules and regulations with respect to the preparation of this submittal, that the foregoing information is true and complete to the best of our knowledge, and that we assume the responsibility to monitor the status of the application and the review comments. We recognize that we or our representative(s) must be present at all required hearings. In the event that the petitioner is not represented, the item will be dropped from the agenda, and an additional fee charged to cover rescheduling expenses before it can again be placed on the agenda.

Signature of Person Completing Application: _____ Date: 4/11/96

Signature of Property Owner(s) - attach additional sheets if necessary: _____ Date: 4/11/96

April 11, 1996

GENERAL PROJECT REPORT

A. This project is to vacate an "excess" portion of an existing right of way (ROW) that the petitioner has been advised by the City is no longer required. The ROW to be vacated is the east 10 ft. of the 28 Rd. ROW and is adjoining the west boundary of the proposed Dawn Subdivision, City file #PP-96-47. Exhibit A, attached gives the legal description for the ROW to be vacated. Exhibits B and C, attached, are plats showing the ROW plus the locations for the street, utilities, and other improvements. There is an existing, open drain ditch whose center line mostly aligns along the easterly side of the ROW. This ditch is to be tiled and filled by the developer and will be located in a new easement along the westerly 20 ft. of the new Dawn Subdivision for irrigation and drainage.

B. The benefit for this vacation will be to take unnecessary public ROW and put it to more beneficial use in the private sector.

C. There are no utilities located in the ROW to be vacated other than the previously mentioned drain ditch.

VR 26-88
28 Rd Vacation

2943-063-00-037 B & G Invertments Etal 274 Valley Vista Way	294-063-00-089 First Church of the Naz. 1000 N 9th St Ste 8 Grand Jct Co.81501-3107	2943-063-00-945 City of Grand Jct. 250 N 5th St. Grand Jct. Colo. 81501- 2628
2943-063-18-001 Donada Inc 634 Avalon Dr. Grand Jct. Colo.81504- 6953	2943-063-17-003 Dave G Mcclelland Tina C Mcclelland 412 Meadow Rd. Grand Jct. Colo. 81504- 6135	2943-063-17-002 Skeleton Const. Inc 706 Ivy Pl. Grand Jct. Colo. 81506 9533
2943-063-17-002 Jeffrey M McClelland Bobbie J McCelland 3351 C rd. Palisade, Co. 81526-9533	2945-014-09-028 Harry A Sabin Kathleen A 3008 Beechwood St. Grand Jct. Colo. 81506	2945-014-09-029 Richard L Hittle Violet R. 2615 Hawthorne Ave Grand Jct. 81506-4873
2945-014-09-030 Jarrel R Doudy Violet R. 2625 Hawthorne Ave. Grand Jct. Colo.81506-4873	2945-014-09-031 Earl D Cogdill Julianne 2715 Hathorne Ave Grand Jct. Co,81506-4889	2945-014-09-019 Arthur Garcia Patricia Anne 2910 Pheasant Run Cir Grand Jct. Colo. 81506- 4891
2945-014-09-020 Garold G Lyle Dorothy R Grand Jct. Co.81506-4891	2945-014--09-021 Alvin E Knoll Charlene K Grand Jct. Colo. 81506- 2891	2945-014-09-022 Michael a Simons Karen I Grand Jct. Colo. 81506-4891
2945-014-09-023 Mark R Luff Brenn D 2944 Pheasant Run Cir Grand Jct. Colo. 81506-4891	2945-014-09-024 Earl Lester Elicker Jimi Beth N 2950 Pheasant Run Cir Grand Jct. Colo. 81506- 4891	2945-014-09-015 Paul G Burris Betty J 2956 Pheasant Run Cir Grand Jct. Colo. 81506- 4891
2945-014-09-027 Graig L Burdette Cynthia M 2958 Pheasant Run Cir Grand Jct. Colo. 81506- 4891	2945-014-09-027 Harold E Kennedy Margaret L. 2960 Pheasant Run Cir Grand Jct. Colo. 81506- 4891	2945-014-09-044 James a Belgard Kathleen M 2531 Pheasant Run Cir Grand Jct. Colo. 81506- 6047
2945-014-09-045 Gary T Siess Deanna F Siess Grand Jct. Colo. 81506- 6047	2945-014-22-001 Keith Boughton Janet L Grand Jct. Colo. 81506- 6048	2945-014-22-002 Robert L Poole Patricia L Grand Jct. Colo. 81506- 6048
2945-014-22-003 Scott L Romager 2939 Pheasant Run Cir Grand Jct. Colo. 81506- 6048	2945-014-22-004 Joy R Kosta Mary Ann 2929 Pheasant Run Cir Grand Jct. Colo. 81506- 6048	2945-014-22-005 Milo L Colton Garnet G 2530 Pheasant Run Cir Grand Jct. Colo. 81506- 6046

DVCR

VK-88

28 Rd Vacation

2945-014-23-002

Roger L Fischer
Karen L Fischer
2624 Hawthorne Ave
Grand Jct. Colo. 81506-4872

2945-014-23-003

John J Kammerer
Janeen Ann
2714 Hawthorne Ave.
Grand Jct. Colo. 81506-4886

City of Grand Junction
Community Development Dept.
250 N 5th Street
Grand Junction, CO 81501

First Church of the Nazarene
1009 N 9th St., #8
Grand Junction, CO 81501

John Davis
1023 24 Road
Grand Junction, CO 81505

Wayne Lizer
576 25 Road
Grand Junction, CO 81505

REVIEW COMMENTS

*Prop Agent
Police
Attorney
C. Grand Valley
US West
TCI*

Page 1 of 2

FILE # VR-96-88

TITLE HEADING: Vacation of Right-of-Way
(Dawn Subdivision)

LOCATION: NE corner 28 & F Roads

PETITIONER: 1st Church of Nazarene

PETITIONER'S ADDRESS/TELEPHONE: 1009 N. 9th, #8
Grand Junction, CO 81501
245-3125

PETITIONER'S REPRESENTATIVE: John Davis

STAFF REPRESENTATIVE: Kristen Ashbeck

NOTE: THE PETITIONER IS REQUIRED TO SUBMIT FOUR (4) COPIES OF WRITTEN RESPONSE AND REVISED DRAWINGS.

CITY UTILITY ENGINEER 4/16/96
Trent Prall 244-1590

No Comment.

PUBLIC SERVICE COMPANY 4/18/96
John Salazar 244-2781

Gas & Electric: No objections.

GRAND VALLEY WATER USERS ASSOCIATION 4/24/96
Richard Proctor 242-5065

The existing drainage ditch described is part of the irrigation works of the Grand Valley Project Colorado; a federal reclamation project. The right-of-way for said drain ditch granted to the United States when The Grand Valley Water Users Association Subscription for Stock document was signed. The document is recorded in Book 130 Page 68 at the Mesa County Clerk and Recorder's Office. The right-of-way is described as for what is necessary for construction, operation and maintenance of such irrigation works.

The Grand Valley Water Users Association is by contract the operator and managing entity of the Grand Valley Project. Any plans or considerations for tiling, covering, realignment or describing the width of the right-of-way for effected lots of the Dawn Subdivision MUST be discussed with and approved by the Association.

Said drainage ditch carries field return flow from production agriculture lands north and east of the proposed Dawn Subdivision as well as underground seepage water.

The Association was not notified of the opportunity to comment on the Dawn Subdivision Preliminary Plan. Any such plan that will affect any part of the drainage ditch and its right-of-way needs the Association's approval first.

COMMUNITY DEVELOPMENT DEPARTMENT

4/23/96

Kristen Ashbeck

244-1437

1. Provide one copy of a large drawing (eg. plat) highlighting R.O.W. to be used for public hearing purposes. Please submit by May 3, 1996
2. Final approval by the Utility Coordinating Committee is required (earliest meeting May 8, 1996) prior to scheduling for City Council.

MESA COUNTY PLANNING

4/24/96

Mike Joyce

244-1642

If the right-of-way is no longer needed, the County recommends approval of the vacation.

UTE WATER DISTRICT

4/23/96

Gary Mathews

242-7491

No objections to the Vacation.

CITY FIRE DEPARTMENT

4/25/96

Hank Masterson

244-1414

The Fire Department has no problems with this proposal.

CITY DEVELOPMENT ENGINEER

4/26/96

Jody Kliska

244-1591

28 Road is classified as an urban collector street, which requires a full width of 60' ROW or 30' from centerline. The existing 40' ROW exceeds this requirement.

PC 5/7/96 - Approval
CC 6/5/96 - Approval

STAFF REVIEW - CITY COUNCIL

FILE: VR 96-88

DATE: May 9, 1996

REQUEST: Vacation of Right-of-Way

LOCATION: A Portion of the East Side of the 28 Road Right-of-Way North of the
Patterson Road/28 Road Intersection

APPLICANT: John Davis

STAFF: Kristen Ashbeck

EXISTING LAND USE: Undeveloped

PROPOSED LAND USE: Single Family Residential

SURROUNDING LAND USE:

- NORTH: Single Family Residential (Grand View Subdivision)
- SOUTH: Church - Under Construction
- EAST: Undeveloped
- WEST: Single Family Residential (Spring Valley Subdivision)

EXISTING ZONING: Residential Single Family 4 units per acre (RSF-4)

SURROUNDING ZONING:

- NORTH: Residential Single Family 5 units per acre (RSF-5)
 - SOUTH: RSF-4
 - EAST: Planned Residential 16 units per acre (PR-16 - Mesa County)
 - WEST: RSF-5
-

EXECUTIVE SUMMARY: John Davis, the developer of the proposed Dawn Subdivision is requesting vacation of a portion of the east side of the 28 Road right-of-way north of the Patterson Road/28 Road intersection in order to incorporate the area into design of the adjacent proposed Dawn Subdivision.

RELATIONSHIP TO COMPREHENSIVE PLAN

No comprehensive plan exists for this area of the city.

STAFF ANALYSIS

The applicant is proposing to subdivide a vacant parcel of land on the east side of 28 Road north of the 28 and Patterson Road intersection into 34 single family residential lots (proposed Dawn Subdivision). This parcel of land is currently owned by the First Church of the Nazarene. The

Church is in the process of constructing a building on another church-owned parcel to the south. The initial stages of the Church development process was started while the Church properties were outside the City limits. During the initial process of reconfiguring the parcels owned by the Church, Mesa County required right-of-way dedication so the east side of 28 Road would have a total of 40 feet of right-of-way.

The City of Grand Junction *Proposed Streets Classification Map* indicates 28 Road to be a collector, which requires only 60 feet of right-of-way. Thus, the additional 10 feet of right-of-way originally dedicated by the Church is not necessary in order to develop 28 Road to the City's collector standard.

The only utility in the 10 feet of right-of-way to be vacated is a ditch under the jurisdiction of the Grand Valley Water Users. An easement will be dedicated on the Final Plat for the Dawn Subdivision; however, a multipurpose and drainage easement must also be retained by the vacation ordinance in the event that the Dawn Subdivision plat is not recorded. Vacation of the right-of-way will give the developer greater opportunity to work directly with Grand Valley Water Users to resolve any issues with reservation of the easement, as opposed to working through the City if the ditch remained in the public right-of-way.

There are no other outstanding issues with this proposed right-of-way vacation.

Findings of Review: Section 8-3 of the Zoning and Development Code lists the criteria by which a vacation of right-of-way is reviewed. Staff has the following findings for this alley vacation request.

Landlocking. Vacation of the right-of-way will not landlock any parcel of land.

Restrictive Access. The proposal for vacation of the right-of-way will not restrict access to any parcel.

Quality of Services. The proposal will not have adverse impacts on the health, safety, and/or welfare of the community and does not reduce the quality of public services provided to any parcel of land.

Adopted Plans and Policies. The right-of-way vacation is consistent with the City of Grand Junction Proposed Streets Classification Map in that the remaining right-of-way will still accommodate development of 28 Road to a collector standard.

Benefits to City or County. The vacation proposal will benefit the City by eliminating additional maintenance and liability responsibilities for this right-of-way area and returning the excess land to private property tax rolls.

PLANNING COMMISSION RECOMENDATION (5/7/96 meeting): Approval of the vacation request (6-0).



VR 96-88
VACATION OF R.O.W. - 28 ROAD
N OF NE CORNER 28 AND PATTERSON